

Board Members

Miki Paul, Ph.D.
Chairperson
Gary D. Lovejoy, Ph.D.
Vice-Chairperson
Maryann Santos de Barona, Ph.D.
Secretary
Melissa Del-Colle
Joseph C. Donaldson
Megan Hunter-Williams
Cheryl L. Karp, Ph.D.
Ramona N. Mellott, Ph.D.
Fred Wiggins, Ph.D.



State of Arizona Board of Psychologist Examiners

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Staff

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Executive Director
Meghan B. Hinckley
Deputy Director
Vicki E. Fox
Investigator
Shari S. Courtney
Administrative Assistant

REGULAR SESSION MINUTES

Friday, December 7, 2007

1400 West Washington
Basement Conference Room, #B-1
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairperson Paul at 8:30 a.m. on Friday, December 7, 2007. Two Executive Sessions were held.

2. ROLL CALL

Board Members Present

Miki Paul, Ph.D. - Chairperson
Gary D. Lovejoy, Ph.D. - Vice-Chairperson
Maryann Santos de Barona, Ph.D. - Secretary
Cheryl L. Karp, Ph.D.
Joseph Donaldson
Megan Hunter-Williams
Fred Wiggins, Ph.D.

Staff Present

Maxine McCarthy, Executive Director
Meghan B. Hinckley, Deputy Director
Vicki Fox, Investigator
Shari Courtney, Administrative Assistant

Attorney General's Office

Keely Verstegen, Esq.
Assistant Attorney General

Board Members Absent

Ramona Mellott, Ph.D.
Melissa Del-Colle

3. REMARKS/ANNOUNCEMENTS

- **Presentation of plaque to Maryann Santos de Barona** – Chairperson, Miki Paul, Ph.D. announced that this Board meeting was the last one for psychologist Board member, Maryann Santos de Barona. Dr. Paul presented to Dr. Santos de Barona a plaque expressing appreciation for her 10 years of service to the Board. The presentation concluded with Dr. Santos de Barona stating that she was very appreciative of everything she had learned while on the Board and she was grateful to have been able to work with a dedicated staff, a wonderful group of current and past Board members, and one of the best Boards in all of Arizona State Government for the past 10 years.
- **Board Member and Staff Appreciation** - Chairperson Paul expressed her appreciation to Board staff and Board members for all their hard work and dedication. Dr. Paul thanked both Board members and staff for their hard work on the Complaint Screening Committee and the Applications Review Committee.

- **Online License Renewals** – Chairperson Paul asked Board members whether they would be in favor of introducing an on-line renewal process for the 2009 license renewals. Board members took a consensus vote and directed staff to research the cost of implementing an online renewal process. Results of the research would be presented at the next in-person Board meeting.
- **February Board Meeting Schedule Change** – Chairperson Paul announced that the February Board meeting would be held on the second Friday in February due to the Superbowl being held in Phoenix this year. The Board meeting is now scheduled for February 8, 2008.
- **Releasing Raw Test Data** – Chairperson Paul noted that at a Psychology Ethics conference the subject of psychologists releasing raw test data to clients when requested was discussed. Dr. Paul remarked that the issue had been previously discussed at the April 2007 Board meeting. Dr. Paul noted that state law pre-empts our statutes and that psychologists are now required to release raw test data upon the request of the client. Dr. Paul then requested that Ms. Bolf create a “Practice Alert” section on the Board website to update licensees on such state law changes. The Board consensus was in agreement, and Dr. Paul directed staff to creating a web-page alert system to keep the licensees informed.
- **CE Documentation** - Chairperson Paul announced that licensees could receive CE credits in Ethics for their attendance at Board meetings. Dr. Paul explained that in order to obtain credit one must register on the CE roster, complete the 3 page CE record form, have the first page signed and stamped with the new validation stamp, keep the first page, and submit the remaining pages to Ms. Fox or Ms. Hinckley. It was noted that Ms. Fox and Ms. Hinckley are the only two staff that can stamp the CE validation form. Licensees are eligible to receive 2 credits for attending the morning session, and 4 credits for all day attendance.
- **Board Assessment Forms** - Chairperson Paul announced to members of the public audience that the Board appreciates feedback regarding their meetings and that they read every evaluation. Dr. Paul encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the box outside the Board room.
- **Timing of Agenda Items** – Chairperson Paul noted that times stated on the agenda are approximate, with the exception of Informal Interviews and Hearings. The Board makes every attempt to begin those proceedings at the scheduled time which may require the Board to suspend a discussion, proceed to the timed item, and then return to the previous item at a later time.

4. APPROVAL OF MINUTES

- **Regular Session – October 5, 2007** – A motion was made by Dr. Karp, seconded by Dr. Santos de Barona, and carried (5-0), with Dr. Wiggins and Ms. Hunter-Williams abstaining from the vote, to approve the October 5, 2007 Regular Session.
- **Regular Session– November 2, 2007** – Dr. Lovejoy made a motion, which was seconded by Dr. Karp, and carried (5-0), with Mr. Donaldson abstaining from the vote, to approve the November 2, 2007 Regular Session minutes.

5. CALL TO THE PUBLIC

Chairperson Paul gave the public the opportunity to address the Board at this time. No one came forward at this time.

6. INFORMAL INTERVIEW

Robert Block, Ph.D. – Case Nos. 07-19 & 07-21

Dr. Paul stated that this was the time and place for the informal interview of Dr. Robert Block for cases 07-19 and 07-21. Dr. Block was present without representation, and introduced himself as did Board members and staff. Dr. Paul announced the procedures for the hearing and read all the allegations against Dr. Block. Dr. Block was sworn in by the court reporter present, whose transcript shall serve as the official record of the proceedings. Dr. Block made an opening

statement to the Board. Dr. Paul read a review of the case to Board members. Board members then questioned Dr. Block and proceeded to deliberate.

After some discussion, a motion was made by Dr. Lovejoy, seconded by Dr. Karp, and carried (7-0), to offer Dr. Block a Non-Disciplinary Order of Continuing Education. The order stated that Dr. Block shall complete 8 additional hours of CE, to include 4 additional hours of CE in Category I covering the areas of office procedures, supervision of staff, and records keeping to specifically include training on HIPPA requirements, and 4 hours one-to-one direct contact with a Board approved practice management consultant to review his current practice procedures. All additional CE must be prior approved by the Board Chair and the order must be completed within 6 months.

7. INFORMAL INTERVIEW

Arnold Thaw, Ph.D. – Case No. 07-36

Dr. Paul stated that this was the time and place for the informal interview of Dr. Arnold Thaw. Dr. Thaw was present with his office manager, Barbara Knowle, and introduced himself and his office manager, as did Board members and staff. Dr. Paul announced the procedures for the hearing and read all the allegations against Dr. Thaw. Dr. Thaw was sworn in by the court reporter present, whose transcript shall serve as the official record of the proceedings. Dr. Thaw made an opening statement to the Board. Dr. Paul read a review of the case to Board members. Board members then questioned Dr. Thaw and proceeded to deliberate.

After some discussion, a motion was made by Dr. Lovejoy, seconded by Mr. Donaldson, and carried (5-2, with Dr. Wiggins and Dr. Santos de Barona voting no), to offer Dr. Thaw a non-disciplinary order of Continuing Education wherein the licensee shall complete an additional 26 hours of CE, to include 6 hours at an APA Risk Management Program or its equivalent, and 20 hours of one-to-one direct contact with a Board approved practice management consultant to review all paperwork, forms, and office procedures, both of which must be pre-approved by the Board Chair. All additional CE must be completed within 12 months of the date of the order.

8. DISCUSSION/DECISION REGARDING GLORIA BERNAT, Ph.D. AND/OR APPROVE REQUEST FOR MEDICAL INACTIVE STATUS – NO. 07-55

Dr. Paul summarized the allegations of this case and reviewed Dr. Bernat's request for voluntary medical inactive status due to health related problems.

At 2:00 p.m., Mr. Donaldson made a motion, and seconded by Dr. Lovejoy, and carried by unanimous vote (7-0), to go into Executive Session for the purposes of obtaining legal advice from the Board's attorney.

At 2:08 p.m. the Board returned to Open Session.

After some discussion, Dr. Santos de Barona made a motion, seconded by Dr. Karp, and unanimously carried (7-0), to accept Dr. Bernat's request for voluntary medical inactive status pending a letter from her physician and to grant Dr. Bernat a 30 day extension to respond to the original RFI (07-55) received by the Board.

9. DISCUSSION/DECISION REGARDING REQUEST TO REACTIVATE LICENSE FROM MEDICAL INACTIVE – Ms. Bolf

John Taylor Kent, Ph.D. – Consent Agreement 06-34

Ms. Bolf reviewed Case No. 06-34 and noted that Dr. John Kent had entered into a Consent Agreement with the Board that placed his license on voluntary medical inactive status on April 9, 2007. The Consent Agreement ordered Dr. Kent to cease practicing psychology until he appeared before the Board and demonstrated by appropriate means his fitness to practice. The order further stated that Dr. Kent should not request modification or termination for 6 months from the date of the order, and any such request needed to include documentation demonstrating Dr. Kent's current ability to safely practice psychology, a plan of suggested monitoring, and other provisions

intended to address the safe return of the licensee to the practice of psychology. Ms. Bolf noted that the 6 month time period had expired, and Dr. Kent appeared before the Board today to request his license be returned to active status.

Dr. Kent was present with his attorney, Craig Martin, who spoke on behalf of his client and made a statement to the Board. Dr. Kent also presented the Board with a packet that included letters from several doctors and colleague's attesting to Dr. Kent's safe return to practice. Board members asked Dr. Kent questions and proceeded to deliberate the case.

At 2:40 p.m., Dr. Paul made a motion, seconded by Dr. Lovejoy, and carried unanimously (7-0) to enter into Executive Session for legal advice.

The Board returned to Open Session at 2:50 p.m.

Dr. Lovejoy made a motion, seconded by Mr. Donaldson, and carried (5-2, with Ms. Hunter-Williams and Dr. Wiggins voting no), to grant Dr. Kent's request to return his license to active status pending a signed, non-disciplinary consent agreement that Dr. Kent would continue to attend regular sessions with his psychologist and psychiatrist and submit to the Board quarterly progress reports, for a period of 12 months.

10. DISCUSSION REGARDING RECOMMENDATIONS FROM AD HOC SUPERVISION STUDY COMMITTEE – James Cox, Ed.D.

Dr. Cox came before the Board and presented the Ad Hoc Supervision Study Committee's suggestions for statute changes. The Board discussed the Committee's report and came to a consensus vote to direct Board staff to post the report on the Board's website asking for public feedback. Board staff was directed to email all licensees that the report was located on our website for review and feedback, and that all feedback needed to be received at the Board office no later than January 2008.

11. EXECUTIVE DIRECTOR'S REPORT

Financial – Ms. Bolf reported on November 14th, JLBC notified all 90/10 Boards that the State was facing a Budget Shortfall in FY 2008 and FY 2009. To address this shortfall, some of the 90/10 Boards with larger fund balances had their surplus swept and put into the General Fund for the State. Fortunately, the Psychologist Board was untouched.

Ms. Bolf also reported that at the end of October, four months into fiscal year 2008, the Board had expended 39% of our appropriation of \$389,800. There was a 13% increase in expenditures for the month of October of which the majority of this increase was due to the lump sum payout of annual leave (\$14,126) for our past Executive Director. The Budget of this Board remains stable and on a track for the remainder of Fiscal Year 2008.

• **Legislative Update** –

- **SUNRISE PROPOSAL** - Ms. Bolf reported that the Board had received a Sunrise Proposal from Board Certified Behavioral Analysts (BCBA) who are requesting a statutory change to regulate the profession via licensure in the State of Arizona. They further were suggesting that the Board of Behavioral Health Examiners OR the Psychologist Board house and regulate this profession. Since the discussion between the Board and the BCBA representative on November 2nd, the Sunrise Proposal has gone before the Senate and House Health Committee of Reference. The committee recommended that the request be considered by the full Legislature. This is a common recommendation and does not necessarily reflect legislative support for the actual regulation of behavioral analysts. The committee recommendation simply recognizes that the petitioning organization has met the statutory requirements of the Sunrise Process.
- **FORENSIC PSYCHOLOGIST PROPOSAL** – Ms. Bolf report that she and Stuart Goodman, the Board's Lobbyist, met with Representative David Lujan and various other individuals that were interested parties regarding the proposed legislation on October 17, 2007. This proposal was to address the issue of frivolous complaints filed against a Court

appointed Forensic Psychologists and who would be responsible for the legal fees if any. After a brief discussion, Rep Lujan appeared to be leaning away from legislation and looking at more judicial or other types of administrative remedies. There has been no follow up meetings since the last one and the email traffic has generally ceased. Faren Akins, representing the AZ Psychological Association suggested that he could draft some language for a Grievance Process that could be agreed upon between the Forensic Psychologist and the Client prior to providing treatment. He requested that the Board review this process and support it if they agreed. Ms. Bolf told him to draft the language and she would bring it before the Board for review. After discussing this matter with the Chairperson, Dr. Paul requested further information from other States to see if they have any special procedures for court appointed evaluations; if any other States require the complainant to pay for fees; and are there any stipulations for a complainant for filing a frivolous complaint. In addition, Ms. Bolf stated that she is currently researching how other Behavioral Health Boards in Arizona deal with court appointed professionals and the volume of frivolous complaints that they receive annually.

12. LICENSING REPORT – Ms. Hinckley

- **New Licenses Issued** – Ms. Hinckley reported that the Board had licensed the 22 psychologists since the October 5, 2007 meeting:

3916 Anita Grana, Psy.D.
3917 Cathy Bissett, Psy.D.
3918 Fred Vanhooose, Ph.D.
3919 Janie Goodall, Psy.D.
3920 Alysha Bundy, Ph.D.
3921 Judy Hogan, Ph.D.
3922 David Portner, Ph.D.
3923 David Beckstead, Ph.D.
3924 Tasneem Kahn, Ed.D.
3925 Kimberly Linder, Ph.D.
3926 Lisa Pearson, Ph.D.
3927 Shanna Ratzburg, Psy.D.
3928 Alan Baehr, Ph.D.
3929 Scott Goldman, Ph.D.
3930 Jared Dinehart, Ph.D.
3931 Ruth Tenrriero, Psy.D.
3932 Heidi Dalzell, Psy.D.
3933 Patricia Fleming, Ph.D.
3934 Scott Belanger, Psy.D.
3935 Anita Didrickson, Ph.D.
3936 Adam McCray, Ph.D.
3937 David Beil-Adaskin, Psy.D.

Ms. Hinckley reported that the Board has licensed 86 psychologists this year, which compared to 83 licenses issued by this time last year.

EPPP RESULTS – Ms. Hinckley reported that the following 3 applicants had passed the Examination for Professional Practice in Psychology between October and November, with 5 failing:

PASS:

Karen Mansfield-Blair, Ph.D.
Adam McCray, Ph.D.
Lisa Pearson, Ph.D.

FAIL:

Marie Hawkins, Psy.D.
Jocelyn Lee, Ph.D.

Lynn Nunnemacher, Psy.D.

Tina Randall, Psy.D.

Hugo Tapia, Ph.D.

- **New Applications** – Ms. Hinckley reported that the Board has received 17 new applications since October 5, 2007, which makes a total of 115 applications received for the calendar year, as compared to 105 received by this time last year.

13. INVESTIGATIONS REPORT

- **New Cases Received** – Ms. Fox reported that since the October 2007 meeting, the Board has received 13 new complaints, for a total of 58 complaints for the 2007 calendar year, as compared 46 complaints this time last year.
- **Cases Resolved** – Ms. Fox reported that, for this calendar year, 42 cases have been resolved, 4 cases were reviewed by the Board at this Board meeting, and 12 cases are currently under investigation.

14. COUNSEL REPORT – Ms. Verstegen

Ms. Verstegen did not have any new information to report.

15. DISCUSSION/DECISION REGARDING HOUSE BILL 2249 – Ms. Fox

Ms. Fox reported that at the October 2007 Board meeting, members voted to give the Executive Director of the Psychologist Examiners Board the express authority to suspend the license of any Arizona licensee who fell 6 months in arrears on their child support payments based upon HB 2249. Ms. Fox inquired with both the National Practitioner Databank and the ASPPB as to whether or not the suspension of the license needed to be reported to either entity. The National Practitioner Databank responded that the only reportable infractions to their agency would include those matters encompassing professional competency or conduct, and therefore, the Board would not report suspension due to monies in arrear in child support to the NPDB. However, the ASPPB reported that such an infraction would be disciplinary and reportable to the public. Therefore, licensees who fall into arrears and have their license suspended due to such action must be reported to the ASPPB.

16. DISCUSSION/DECISION REGARDING IMPLEMENTING A JURISPRUDENCE EXAM – Dr. Paul/Ms. Hinckley

Dr. Paul reported that the Board was researching the idea of creating and implementing a state jurisprudence exam in order to increase the education of applicants coming into the state. In order to gauge how effective this method of education might be, Dr. Paul had previously directed staff to place a thread on the ASPPB Listserv to query how many states currently implement a jurisprudence exam. Ms. Hinckley presented research results from the ASPPB Listserv that indicated 80% of states responding (19 out of 24 states) currently administer a jurisprudence exam. A follow-up question was posted on the Listserv asking how many states that did implement a jurisprudence exam found that it helped in educating their applicants and licensees about their state laws. Ms. Hinckley reported that there was no response as of late to the follow-up question.

The Board proceeded to discuss the issue and felt that administering the jurisprudence exam would be ineffective to the applicant and time consuming for Board staff. The Board, by consensus voted to not implement a formal state jurisprudence exam. Dr. Lovejoy suggested that, during the rules revisions, the Board add an attestation box to both the application and renewal forms that the applicant/licensee testifies they have read and reviewed the latest version of the rules and statutes. In addition, the Board voted to possibly offer a 1 credit CE course regarding

rules and statutes that could be accessed either through the Board website or possible AzPA's website.

17. DISCUSSION/DECISION REGARDING AUDREY GOLDMAN, Ed.D. – NO. T-06-11

Board members discussed the issue of Dr. Audrey Goldman and her possible violation of A.R.S. § 32-2084. The Board asked legal advice of Ms. Verstegen after which Mr. Donaldson made a motion, seconded by Dr. Lovejoy, and unanimously carried (7-0), to issue a letter to Dr. Goldman indicating that the Board has concerns regarding her services to the public that are not within this Board's jurisdiction and therefore, the matter is being referred to the Board of Behavioral Health Examiners for review. Further, Dr. Goldman "may want to review the regulations for the Department of Education regarding school psychologists."

18. DISCUSSION/DECISION REGARDING LENA MATEO – NO. T-07-03

Board members discussed the issue of Lena Mateo and her lack of an acceptable response to the Board's letter informing her of her violation of the law by the unlicensed use of the titles "psychology" and "psychologist". Dr. Donaldson made a motion, seconded by Dr. Lovejoy, and carried unanimously (7-0), to send a second request letter to Ms. Mateo asking her to provide a written response indicating her intent to no longer hold herself out to the public as a psychologist. Board staff was instructed to also send a copy of this letter to Ms. Mateo's employer, Jewish Family Services.

19. DISCUSSION/DECISION REGARDING APPLICATIONS – Dr. Santos de Barona

➤ **REQUESTING EXAMINATION**

Dr. Santos de Barona made a motion, seconded by Mr. Donaldson, and unanimously carried (7-0), that the following licensees, having obtained a doctoral degree in psychology as required under A.R.S. § 32-2071, be approved to sit for the Examination for Professional Practice in Psychology (EPPP):

- **Fair, Christine, Ph.D.**
- **Friedman, Abby, Ph.D.**
- **Lee, Jocelyn, Ph.D.**
- **Nademin, Mahsaw, Ph.D.**

➤ **REQUESTING EXAMINATION & LICENSURE**

Dr. Santos de Barona next made a motion, seconded by Dr. Wiggins, and unanimously carried (7-0), that following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the EPPP and for licensure upon receipt of a passing score on the examination, and payment of the pro-rated original license fee:

- **Fulks, Thomas, Psy.D.**
- **Gonzalez, Ismael, Psy.D.**
- **Hawkins, Marie, Psy.D.**
- **Mitstifer, Meredith, Psy.D.**
- **Nunemacher, Lynn, Psy.D.**

➤ **REQUESTING LICENSURE FOLLOWING COMPLETION OF POST-DOC**

A motion was then made by Dr. Santos de Barona, seconded by Dr. Lovejoy, and unanimously carried (7-0), that **Gregory Waugh, Psy.D.**, having met the requirements of A.R.S. § 32-2071.01(A), having passed the EPPP with a score of 70% or better and completed her post-doctoral hours, be approved for licensure upon payment of the pro-rated original license fee.

➤ **RATIFICATION OF LICENSURE BY CREDENTIAL**

Dr. Santos de Barona then made a motion, seconded by Dr. Lovejoy, and unanimously carried (7-0), to ratify the issuance of licensure by credential to **Anita Bohensky, Ph.D.**, who had met the requirements of A.R.S. § 32-2071.01(B).

Finally, Dr. Santos de Barona announced that the following applications remained ongoing:

- **Didrickson, Anita, Ph.D.**
- **Dinehart, Jared, Ph.D.**
- **Fleming, Patricia, Ph.D.**
- **Fulks, Thomas, Psy.D.**
- **Goldman, Scott, Ph.D.**
- **Grando, Roy, Ph.D.**
- **Heinz, Tracy, Psy.D.**
- **Lipson, Mindy Beth, Psy.D.**
- **Mobley, William, Ph.D.**
- **Nademin, Mahsaw, Ph.D.**
- **Palmquist, Mary, Ph.D.**
- **Tenrriero, Ruth, Psy.D.**

20. REPORT ON ASPPB ANNUAL MEETING, OCTOBER 2007 – Dr. Paul & Ms. Hunter-Williams

Dr. Paul provided the Board with a report on the Annual Meeting of the Association of the State and Provincial Psychology Board's (ASPPB) meeting in October that she and Ms. Hunter-Williams attended. She highlighted many of the important topics of discussion from the meeting. Ms. Hunter-Williams thanked the Board members for electing her to attend the meeting, that she appreciated the opportunity to attend, and learned a great deal.

21. ELECTION OF BOARD OFFICERS

Dr. Paul opened up the nominations for election of Board officers for the 2008 calendar year. Dr. Paul nominated Dr. Lovejoy as Chairperson, Dr. Wiggins as Vice-Chair, and Ms. Del-Colle as Secretary. The nominations were accepted, and the motion was seconded by Mr. Donaldson and carried unanimously, (7-0).

22. NEW BUSINESS OR FUTURE AGENDA ITEMS

No new business or future agenda items were brought forth at this time.

23. ADJOURNMENT

There being no further business to come before the Board, a motion was made by Dr. Santos de Barona, and seconded by Ms. Hunter-Williams, and unanimously carried (7-0), to adjourn the meeting on Friday at 4:32 p.m.

Prepared by:

Meghan B. Hinckley
Deputy Director

Respectfully submitted,

Maryann Santos de Barona, Ph.D.
Secretary